

Notice of Allowability

Application No.

10/644,311

Applicant(s)

GRONEMEYER, STEVEN A.

Examiner

Bernarr E. Gregory

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 11 May 2005.
2. ☒ The allowed claim(s) is/are 10-35.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date -----.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Bernarr E. Gregory
Primary Examiner
Art Unit 3662

1. The following changes to the drawings have been approved by the examiner:
Figure 4 **must** be amended to illustrate the claim 34 "voice communications system" per 37 CFR 1.83(a). **In order to avoid abandonment of the application, applicant must make these drawing changes.**

A telephone call was made to Mr. Edward C. Kwok on 21 July 2005 to inform Applicant of the need for the above-named drawing correction, but Mr. Kwok was not available to take the call. The Examiner left a voice mail message for Mr. Kwok describing the change, and stating that the required change would be described in this attachment to the Notice of Allowability. Correction is hereby **required**.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

On page 1 of the Specification, under the heading "Claim of Priority," after "October 4, 2001," insert --now U.S. Patent 6,636,178,--

On line 11 of page 5 of the Specification, immediately before the words "and U.S.," insert --now U.S. Patent 6,044,105,--.

On 11 of page 5 of the Specification, delete "___/_____", and insert --09/281,566-- .

At the end of line 11 of page 5 of the Specification, delete "even."

At the end of line 11 of page 5 of the Specification, after "filed on," insert –
March 30, 1999--.

At the beginning of line 12 of page 5 of the Specification, delete "data
herewith."

On line 13 of page 5 of the Specification, immediately before the words
"both of which," insert –now U.S. Patent 6,577,271,--

On line 10 of page 20 of the Specification, immediately before the words
"previously incorporated," insert –now U.S. Patent 6,044,105,--.

On line 10 of page 30 of the Specification, immediately before the words
"previously incorporated," insert –filed September 1, 1998, now U.S. Patent
6,044,105,--.

On line 19 of page 35 of the Specification, immediately before the words
"previously incorporated," insert –filed September 1, 1998, now U.S. Patent
6,044,105,--.

3. Since the changes made in the Examiner's Amendment above are merely
editorial in nature, to prepare the application for printing as a patent, no authorization
was sought from Applicant.

4. The following is an examiner's statement of reasons for allowance:

None of the prior art of record either taken alone or taken in any possible
combination would anticipate or would tend to render obvious Applicant's claimed
apparatus as set forth in independent claim 10 that is particularly characterized at
least by the claimed "Global Positioning System (GPS) receiver" (lines 2-3) and

the claimed “at least one signal processor ...” (lines 3-10) taken together and taken in the overall context of independent claim 10.

Dependent claims 11-18 are allowable for at least the reasons for which claim 10 is allowable.

None of the prior art of record either taken alone or taken in any possible combination would anticipate or would tend to render obvious Applicant’s claimed apparatus as set forth in independent claim 19 that is particularly characterized at least by the claimed “means for controlling ...”; “means for performing correlation analyses ...”; “means for generating cumulative correlation data ...”; and “means for maintaining at least one parameter ...” taken together and taken in the overall context of independent claim 19.

Dependent claims 20-23 are allowable for at least the reasons for which claim 19 is allowable.

None of the prior art of record either taken alone or taken in any possible combination would anticipate or would tend to render obvious Applicant’s claimed method as set forth in independent claim 24 that is particularly characterized at least by the claimed method steps of “controlling at least one of receipt and processing ...”; “performing correlation analyses ...”; “generating cumulative correlation data ...”; and “maintaining at least one parameter ...” taken together and taken in the overall context of independent claim 24.

Dependent claims 25-33 are allowable for at least the reasons for which claim 24 is allowable.

None of the prior art of record either taken alone or taken in any possible combination would anticipate or would tend to render obvious Applicant's claimed apparatus as set forth in independent claim 34 that is particularly characterized at least by the claimed "Global Positioning System (GPS) receiver ..." (line 3) and the claimed "at least one signal processing system ..." (lines 4-12) taken together and taken in the overall context of independent claim 34.

None of the prior art of record either taken alone or taken in any possible combination would anticipate or would tend to render obvious Applicant's claimed computer program product as set forth in independent claim 35 that is particularly characterized at least by the claimed computer-implemented method steps of "controlling at least one of receipt and processing ..."; "performing correlation analyses ..."; "generating cumulative correlation data ..."; and "maintaining at least one parameter ..." taken together and taken in the overall context of independent claim 35.

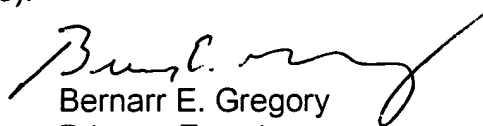
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr E. Gregory whose telephone number is (571) 272-6972. The examiner can normally be reached on weekdays from 7:30 AM to 4:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza, can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Bernarr E. Gregory
Primary Examiner
Art Unit 3662